

CONTEMPORANEOUS TIME RECORD CATEGORIES

Exhibit “B”

CATEGORIES OF TIME RECORDS

- I. Initial Client Contact Pre-Institution of Suit**
- II. Client Strategy, Case Analysis, Legal Development**
- III. Pleadings, Rule 7.1 Disclosure Statement and Service of Process**
- IV. Rule 64 Motion: Obtain Release of Vehicle by Bond**
- V. Review Defendant's Answer/Marked Pleadings**
- VI. Conferences with Magistrate Judge Vera M. Scanlon (1/29/16; 3/29/16)**
- VII. Preparation of Plaintiff's Discovery Devices**
- VIII. Conference with Judge Margo K. Brodie (7/13/16)**
- IX. Plaintiff's Motion for Summary Judgment**
- X. Defendant's Cross-Motion for Summary Judgment**
- XI. Plaintiff's Opposition to Defendant's Motion for Summary Judgment**
- XII. Plaintiff's Reply Memorandum of Law**
- XIII. Review Defendant's Reply Memorandum of Law**
- XIV. Rule 56.1 Counter-statements**
- XV. Analyze Report and Recommendations by Magistrate Judge Vera M. Scanlon dated 2/15/18**
- XVI. Analyze Order by Judge Margo K. Brodie dated 3/21/18**
- XVII. Negotiations Re: Global Resolution of Compensatory Damages/Attorneys' Fees**
- XVIII. Plaintiff's Attorneys' Fee Application**
- XIX. Correspondence/Telephonic Communication**
- XX. Paralegal Assistance**
- XXI. Travel time**

KEY TO TIME RECORDS

I.	Michael A. Rosenberg, Esq., Lead Counsel, designated as...	MAR;
II.	Rudolph J. Meola, Esq., Co-Counsel, designated as.....	RJM;
III.	Paraprofessional, Denise Green, designated as.....	DG;
IV.	Paraprofessional, Heather Zak, designated as.....	HZ;
V.	Margaret Taylor-Finucane, Esq. designated as.....	MTF;
VI.	Karla D. Denalli, Esq. designated as.....	KDD;
VII.	Time expenditure is measured and rounded to 1/10 th hr.	
	Hourly rate applied to Counsel.....	\$600/hr;
VIII.	Hourly rate applied to Paraprofessional.....	\$100/hr;
IX.	Travel time rate applied at ½ Counsels' hourly rate.....	\$300/hr;
X.	Efforts to re-write PANYNJ's Rules and Regulations.....	TBD;

OUT-OF-POCKET EXPENSES

I.	Filing fees (Exhibit "3").....	\$400.00;
II.	Service of Process (Exhibit "3").....	\$ 67.50;
III.	Court Stenographer Transcripts (Exhibit "3").....	<u>\$ 81.18.</u>
	Total.....	\$548.68

RECAPITULATION

I.	Legal Services.....671.1.@ \$600/hr.....	\$402,660.00
II.	Paraprofessional.....49 hrs.@ \$100/hr.....	\$ 4,900.00
III.	Out-of-pocket expenses.....	\$ 548.68
IV.	Travel Time (2 hrs @ \$300.00).....	\$ 600.00
V.	a) Efforts in reviewing opposition to fee app; Preparation of Reply to Opp re: fee app;.....	TBD
	b) Efforts to Re-write PANYNJ's Rules & Regulations (as per Order 3/21/18).....	TBD

Grand Total
(absent item V above)..... \$408,708.68

**TIME RECORDS KEPT CONTEMPORANEOUSLY
WITH SERVICES RENDERED**

I. Initial Client Contact Pre-Institution of Suit

(Period Covered 09/01/15 – 09/30/15)

Date	Service	Attorney	Time
A. Analysis:			
09/01/15	Analyze the facts, including alleged notice by PANYNJ, the Parties, and the scope of the identifiable problem review client referral and identify objectives	RJM	0.6
09/03/15	Scope of Problem, verify location of vehicle and written statements by PANYNJ as to reason for seizure	RJM	0.8
09/04/15	Verify failure of notice by PANYNJ- 39 day delay of any notice to Honda	RJM	0.9
	Confirm value of vehicle; consult with Client re: loss revenue stream; NADA	RJM	0.3
	Review facts re: TLC hearing (OATH) and verify that lessee is not eligible to recover the vehicle; draft letter to PANYNJ	RJM	1.6
09/09/15	T/c w/Officer DeRosa re: Notice and Fees; t/c w/client to confirm Notices; Review facts with client	RJM	1.3
09/16/15	T/c discussion with GC and BU; outline terms of lease allowing recovery of vehicle after seizure	RJM	1.0
SUBTOTAL			6.5

II. Client Strategy, Case Analysis, Legal Development

(Period Covered 09/01/15 – 09/30/15)

Date	Service	Attorney	Time
	A. Analysis:		
09/16/15	Analyze the Law as it relates to the Identified problem, research primary cases:	RJM	1.0
	<i>Ford Motor v Property Clerk (2nd Circuit)</i>		
	Review for possible Federal Court remedy	RJM	2.0
	Outline sections confirming that deprivation is denial and possession and loss of income	RJM	0.5
	Focus on section confirming that even temporary impoundment is a deprivation	RJM	0.5
	Review elements of the <i>Mathews</i> list	RJM	0.8
	<i>Ezagui v City of New York</i> , seizure for evidence	RJM	1.0
	<i>Property Clerk v Harris</i> - creditor interest in vehicle is considerable	RJM	0.8
	<i>Maxineau v City of New York</i> - standard for 42 USC 1983 to address Deprivation of vehicle	RJM	0.8
	<i>Monell v Dept of Social Services</i> - standard for liability of municipality for Section 1983 (possible protective defense)	RJM	3.0
09/17/15	<i>American Honda Finance v One Honda</i> Review for possible state Court remedy (past experience with PANYNJ)	MAR	2.0
09/17/15	Outline Due Process rights for action in Federal Court <i>vis-a-vis</i> state action for Replevin	RJM	2.0

Date	Service	Attorney	Time
09/17/15	<i>Krimstock v Kelly</i> - review for 4 th Amendment Issues where vehicle is seized for pecuniary motives	RJM	2.0
	Outline points on role of 4 th Amendment	RJM	1.0
	Notes on state Court procedures as alternatives	RJM	0.8
	Evaluate <i>Grinberg v Safir</i>	RJM	1.0
	Summarize <i>Mathews</i> test as applied to vehicle seizure	RJM	1.5
09/18/15	<i>County of Nassau v Canavan</i> -review For NY State Constitutional law requirements after seizure/vehicle	RJM	N/C
	Outline points for strict requirements of notice by the governmental action	RJM	1.0
	<i>Tedeschi v Blackwood</i> Review for Due Process on lien asserted for towing and storage	RJM	1.5
09/19/15	Review numerous cases including <i>Craig v Carson</i> ; <i>Butler v Castro</i> <i>Property v Dist. Of Columbia</i> ; <i>Stypmann v</i> <i>City of San Francisco</i>	RJM	6.0
09/19/15	<i>Alexandre v Cortes</i> Review for 2 nd Circuit rule on process for demanding a release of vehicle seized by police	MAR	2.0
	Outline specific points for section 1983 case including important lack of established procedure to avoid <i>Parratt</i> rule; <i>Butler v Castro</i>	MAR	1.5
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		SUBTOTAL	32.7

**Paralegal/Shepardize cases (See Exhibit "1")

III. PLEADINGS, RULE 7.1 DISCLOSURE STATEMENT AND SERVICE OF PROCESS

Date	Service	Attorney	Time
	A. Cover Sheet/Summons/Disclosure/Pleading		
09/21/15	Confirm Rule 7.1 disclosures; draft cover for summons; summons; proof and finalize outline for pleading	MAR	2.3
	1. Jurisdiction and Venue (Allegations)		
09/21/15	Review 28 USC 1343 for original Jurisdiction	RJM	0.6
09/21/15	Supplemental jurisdiction under 28 USC. 1367	MAR	1.5
	Draft all allegations in five (5) paragraphs including references to 42 USC 1983; proof; finalize	MAR	1.8
	Confirm venue proper in EDNY due to location of vehicle	MAR	1.3
	2. Parties (Allegations)		
09/22/15	Plaintiff - verify status with client including state of origin	RJM	0.8
	Confirmation with client on status of publicly traded stock	RJM	1.0
	Defendant - review structure of PANYNJ as bi-state agency under compact ratified by U.S. Congress	RJM	1.8
	3. Introduction (Summary)		
	Concise statement of legal theory of the case under 42 USC 1983	RJM	0.8
	Emphasize key facts such as <i>ex parte</i> lien for \$4,491.09 (refusal to release w/o payment)	RJM	1.0

Date	Service	Attorney	Time
	Revision and several edits to maximize impact in single paragraph	RJM	0.6
09/23/15	4. Facts (Allegations)		
	Initial outline by date of occurrence from 7-21-12 to 4-22-15	RJM	2.8
	Verify actual charge under NY Penal Law 170.20	RJM	0.8
	Specific details of PANYNJ fees	RJM	1.5
	Confirm client has no culpability and draft detailed allegations	RJM	0.6
09/24/15	Draft paragraph alleging failure by Port to provide notice and a hearing	RJM	1.8
	a. Count I (42 U.S.C. § 1983) (Deprivation of Property Without Due Process of Law)		
09/24/15	Research elements of claim- <i>Lugar v Edmonson</i> color of state law	MAR	2.0
09/25/15	Research for cases in the Second Circuit	RJM	1.8
	<i>McMenemy v City of Rochester</i> on property interest and deprivation	RJM	1.0
	<i>Alexandre v Cortes</i> for deprivation by denial of possession	RJM	1.2
	Research for EDNY cases	RJM	0.8
	<i>Connecticut v Doeher</i> for deprivation by assertion of lien	RJM	1.8
	<i>Mennonite Bd. of Missions v Adams</i> for loss of lien property	RJM	1.5
09/25/15	Draft key allegations for PANYNJ deprivation under Color of State Law in Violation of Fourteen Amendment	MAR	1.5

Date	Service	Attorney	Time
09/26/15	Draft allegations of knowledge of Port of unconstitutional acts and causation	RJM	1.5
	Damages detailed by value of loss and NADA quotes	RJM	0.8
	Draft four paragraphs addressing municipal liability; revise to indicated <i>Monell</i> elements	RJM	1.0
	b. Count II (Replevin)		
09/26/15	Draft initial allegations	MAR	N/C
	Revise; proof; finalize	MAR	N/C
	c. Count III (NY Constitution Article I, Sec. 6) (Deprivation of Property Without Due Process of Law)		
09/28/15	Research elements of claim- <i>Sharrock v Dell Buick</i> on procedural Due Process	RJM	N/C
	Draft key allegations following Federal format	RJM	N/C
	Revise; proof; finalize	RJM	N/C
	d. Count IV (Declaratory Relief)		
09/28/15	Research elements of claim- <i>Sharrock v Dell Buick</i> on procedural Due Process	RJM	2.8
	Draft key allegations following Federal format	RJM	0.8
	Revise; proof; finalize	RJM	1.0
	e. Municipal liability under <i>Monell</i>		
09/29/15	Research four grounds for liability	MAR	1.4
	Draft official decisions and allegations based on police officer authority	MAR	0.8

Date	Service	Attorney	Time
09/29/15	Draft practice allegations based upon PANYNJ letter	MAR	0.8
	Draft failure to train/ <i>Monell</i> liability allegation based upon clear 2 nd Circuit procedure and persuasive cases	MAR	1.8
f. Prayer for Relief (Judgment and Declaration)			
09/30/15	Draft allegations for relief under Federal counts including declaratory relief and damages	RJM	2.0
	Draft state law relief requirements	RJM	N/C
09/30/15	Add claim for legal fees under 42 U.S.C. 1988	MAR	0.4
	Verify proper methods to serve Port; verify address of appropriate officer at 4 World Trade Center	MAR	2.0
	Verify fees	MAR	0.4
10/02/15	Review and edit drafted Cover Sheet, Summons and Complaint with RJM in anticipation and preparation for filing	MAR	6.0
B. Filing Pleadings and Service of Process			
10/09/15	&Correspondence with United Lawyer's	MAR	0.4
10/13/15	Service re: Filing		
10/13/15	Confirmation of filing with EDNY Docket Sheet Entry: Cover Sheet, Summons, Rule 7.1 Disclosure and Complaint	MAR	0.3
10/14/15	Correspondence with Process Server Re: Service of Cover Sheet, Summons and Complaint	MAR	0.2

Date	Service	Attorney	Time
Review Judge's Rules			
10/13/15	Print, review, and familiarize w/Rules of District Court Judge Margo K. Brodie	RJM/MAR	N/C
	Print, review, and familiarize w/Rules of Magistrate Judge Vera M. Scanlon	RJM/MAR	N/C
10/14/15	Review Court Notice re: Rule 73.1 regarding consent to Magistrate Judge to conduct all proceedings	MAR	0.1
	Preparation of Consent to Magistrate	MAR	0.1
10/20/15	Review Process Server Affidavit re: Pleadings served upon PANYNJ	MAR	0.1
10/26/15	Review MTF Notice of Appearance	MAR	0.1
	Review MTF Letter Motion for extension	MAR	0.1
10/27/15	Review Order granting extension until 12/15/15; review Scheduling Order re: initial conference 1/5/16	MAR	0.1
	Telephone conference with MTF Re: Scheduling Order and Consent; Declination by MTF (1/20/16)	MAR	0.1
12/11/15	Review MTF Letter Motion for further extension to Answer, and to adjourn initial conference	MAR	0.1
12/14/15	Review Court Order granting Extension of Time to Answer and rescheduling initial conference to 1/29/16, directing parties to complete joint proposed Scheduling Order	MAR	0.1
SUBTOTAL			57.9

**Paralegal/Shepardize cases (See Exhibit "1")

IV. Rule 64 Motion: Obtain Release of Vehicle by Bond

Date	Service	Attorney	Time
	A. Strategy and Legal Procedure		
11/06/15	1. Recovery of the vehicle Confirm that state law replevin claim may be used along with replevin in Federal Court;	RJM	N/C
11/07/15	Review Federal Rule 64 re: availability of motion in Federal Court for turn-over on bond; research cases that permit undifferentiated motion for Federal Rule 64 relief; confirm that client will post bond as needed to compel release	RJM	4.5
11/08/15	2. Recovery of Damages Verify relief available in Section 1983 action for Due Process violation	RJM	0.8
	Relief available under <i>Ford Motor v Property Clerk</i> for stream of income interrupted by seizure	RJM	1.0
	Verify recovery of nominal damages under <i>Cary v Piphus</i>	RJM	0.5
	Confirm recovery of attorney fees under 42 U.S.C 1988 to prevailing party and standard for prevailing party	RJM	2.0
11/09/15	3. State/Federal Court Remedy Analysis Check 21 NYCRR 1260.1	RJM	N/C
	Review to determine if PANYNJ has any procedure for Due Process or whether the deprivation was random or unauthorized; outline all possible sections of PANYNJ rules including self-published authority of PANYNJ manager to seize vehicles	RJM	3.8

Date	Service	Attorney	Time
11/10/15	Outline elements for use in Motion; review possible application of New York Lien Law to justify PANYNJ actions including Lien Law Section 184(2) and (5)	MAR	2.5
	Confirm authorization with client strategy to proceed in Federal Court under Section 1983 and willingness for Bond (2x value of vehicle)	RJM	0.4
11/16/15	Based upon research above, and client's authorization, coordination and preparation of initial draft of Motion to Release vehicle on Bond**	MAR	2.0
11/20/15-11/21/15	Finalize Motion for Bond**	RJM	8.0
12/11/15	After discussion with MTF, preparation and Execution of Stipulation w/MTF permitting subject vehicle to be released on Bond	MAR	0.4
12/14/15	Agreement with MTF to permit HVT to File Bond for Release of Vehicle; confirmation of Stipulation filed with the Court (including Bond for \$35,000.00)	MAR	0.3
12/18/15	Confirmation by client that subject vehicle has been secured from PANYNJ Impound	RJM	0.2
SUBTOTAL			26.4

**NB: Motion prepared but not served or filed; parties Stipulated to Bond (copy annexed as Exhibit "2")

V. Review Defendant's Answer/Marked Pleadings

Date	Service	Attorney	Time
01/13/16	Review PANYNJ Answer dated 1/12/16 and filed 1/13/16; review with RJM; mark pleadings with admissions, denials, denials upon knowledge or information and defenses in the nature of responsive allegations; preparation of anticipated Motion for Summary Judgment	MAR	5.5
01/19/16	Preparation and filing of Notice of Appearance	MAR	0.1
01/20/16 - 01/21/16	Preparation of Scheduling Order in joint effort with MTF; filed completed Initial Joint Scheduling Order for conference set for 01/29/16	MAR	1.2
01/22/16	Transmit Answer to client for review and comment	RJM	0.1
01/25/16	Client conference re: Answer and alleged defenses	RJM	0.3
			—
		SUBTOTAL	7.2

VI. Conferences with Magistrate Judge Vera M. Scanlon

Date	Service	Attorney	Time
A. PREPARATION FOR INITIAL CONFERENCE			
12/16/15	Preparation for client conference in anticipation of upcoming Initial conference; review of all 2 nd Circuit cases for possible rebuttal by PANYNJ; lengthy strategy session with client and MAR knowing that Initial scheduling Order-dates determined and agreed upon, with discovery to follow; summarize theory for SJ Motion with client; letter to client seeking permission to engage in and file Motion Practice	RJM	5.8
12/29/15	Review marked Answer by PANYNJ, in anticipation of Initial Conference before MJ Scanlon (01/05/16; conference subsequently adjourned to 01/29/16)	RJM	1.8
	Outline for client assessment value of affirmative defenses by strength; tailor anticipated need for discovery and rebuttal of defenses	RJM	2.0
01/25/16 – 01/26/16	Preparation of internal Memo in contemplation of upcoming Initial Conference on 01/29/16; revisit <i>AM Honda v. Manhaini</i> ; review facts in case including timing of seizure <i>vis-à-vis</i> notice; review deprivation without hearing (Const. 4 th & 14 th)	MAR	4.2
B. ATTENDANCE AT ADJOURNED INITIAL CONFERENCE			
01/29/16	Court Conference with MJ Scanlon and MTF for Initial Scheduling; Court recommended parties confer on resolution by 02/29/16 and discovery to occur thereafter if no settlement	MAR	0.6 (tape 3:32 – 4:10 travel time 1.0; noted separately below)

Date	Service	Attorney	Time
C. SUBSEQUENT TELEPHONE CONFERENCE WITH MJ SCANLON			
03/29/16	Telephone conference with MJ Scanlon, MTF and MAR; on for Status & Settlement; advise Court that discovery is complete and parties discussing settlement; Court noted PANYNJ has 60 days to focus on resolution; follow-up @ next Conference scheduled 03/29/16	MAR	0.1 (tape 3:14 – 3:20)
SUBTOTAL			14.5

VII. Preparation of Plaintiff's Discovery Devices

A. Rule 26 Initial Disclosure

Date	Service	Attorney	Time
02/05/16	Preparation and conference w/client to confirm evidence and key witnesses including records; copies; insurance; damages based on vehicle loss; explain discovery process and draft paragraphs for clients use to provide key Disclosures	RJM	3.6
02/11/16	Draft Plaintiff's Rule 26 Initial Disclosure; Finalize disclosure with Exhibits; transmittal to MTF	MAR	2.0
02/25/16	Receipt and initial review of Defendant's Rule 26 Initial Disclosures, including PANYNJ internal Rules and Procedures containing 82 edited pgs. of internal materials; transmittal of Disclosures to client and RJM	MAR	6.0

B. Plaintiff's Interrogatories

02/26/16	Outline key legal elements for all causes of action that may warrant questions; contemplate subparts directed to the PANYNJ's procedures as referenced in the Airport Rules for JFK; subparts addressing Notice, judicial review and hearing; conference with client's BU for input	RJM	3.0
02/27/16	Interrogatory No. 1 to focus on sixth Defense in answer; five subparts directed to the seizure by law enforcement; two subparts directed to post seizure at Procedures; two subparts expressly questioning constitutional notices of a hearing; outline	RJM	5.8

Date	Service	Attorney	Time
03/01/16	Interrogatory No. 2 to address paragraph 13 of answer; question basis for seizure and warrant; subpart directed to PANYNJ procedures as referenced in the Airport Rules for JFK; subpart re: Notice, Hearing and Judicial Review	RJM	4.8
03/02/16	Interrogatory No. 3 as to the letter by the PANYNJ; subpart as to letter dated 04/22/15 by PANYNJ	RJM	2.0
03/05/16	Interrogatory No. 4 containing subparts regarding the alleged defense that the PANYNJ has a valid lien; review NYS law re: basis for valid lien after towing by public, including Lien Law 184; address questions to deficiency of procedures for lien and notice and a hearing	RJM	5.5
03/07/16	Review initial and 2 nd drafts of Interrogatories; proofread and correct; final revisions and draft cover letter for transmittal to MTF; transmittal to MTF	MAR	3.8
03/10/16	Review Defendant, PANYNJ, Discovery Demands by D&I and Interrogatories	MAR	0.5
C. PANYNJ Initial (Rule 26) Disclosure			
	Review witness and evidence list	RJM	0.3
D. PANYNJ Response to 1st Set of Plaintiff's Interrogatories (03/10/16)			
03/11/16	Review all documents previously Submitted by PANYNJ's Rule 26 Initial Disclosure	RJM	4.0

Date	Service	Attorney	Time
03/16/16	Analyze PANYNJ's Interrogatory	RJM	11.5
03/18/16	Responses re: key items regarding PANYNJ Procedures; Impound vehicle memo at p. 19; Audit report at p. 64; PANYNJ rules for ground transportation at p. 111; Internal memos at p. 182; chart evidence discovered for each claim in complaint for future motions		
E. PANYNJ Discovery Demands			
03/10/16	Receipt and review of PANYNJ interrogatories and document demands; transmittal of discovery to RJM and client BU	MAR	1.0
	With client's assistance, organize all facts re: client contact with PANYNJ including any notice of seizure; organize references to authorities that the PANYNJ questions for applicability, including V&T 1220-B; review all fact information for contract with Taxi & Limo Commission	RJM	4.5
03/16/16	Draft HVT's initial response to all Interrogatories; revise, proof and finalize for transmittal to client and RJM	MAR	5.0
	Coordinate and organize all documents Necessary for response to interrogatories; revise; proof and finalize	RJM	2.5
03/25/16	Review final responses to PANYNJ Interrogatories; final assembly of documents to PANYNJ D&I request; draft and prepare cover letter to MTF transmitting responses and suggesting possible further settlement discussions and HVT's offer to work towards amending PANYNJ's procedures pre-Motion	MAR	1.5
SUBTOTAL			67.3

VIII. Conference With Judge Margo K. Brodie 7/13/16

Date	Service	Attorney	Time
06/15/16	Court sets Pre-Motion Conference for 07/13/16 (Re: ECF #15)	MAR	N/C
	Discussion with client and MAR in preparation of upcoming Conference, including most recent cases including <i>Ford Motor Credit, Krimstock, Manhaini, Monell and Harrell</i>	RJM	3.5
	Preparation of internal Memo for use in Oral Argument before Judge MKB re: PANYNJ internal procedures, constitutional statutes, Lien Law and case law	MAR	4.0
07/13/16	Attendance at Court Conference before Judge MKB with MTF for Pre-Motion Conference; Court encouraged mediation, and set forth Motion schedule; Motions to be filed by 09/13/16	MAR	1.0 (on the record 10:30 – 11:30) (travel time 1.0 listed separately below)
	Post-Court Conference with client and RJM to review outcome and in preparation of SJ Motion; client authorized settlement, if available	MAR	1.5
08/02/16	Order Transcript from Court Stenographer, JB Reporting, Inc. (fee: \$81.18)	MAR	0.1
08/03/16	MTF/MAR to share cost	MAR	N/C
08/08/16	Review Stenographic Transcript from 07/13/16 Court Appearance (34 pgs.); send Transcript to RJM for forwarding to client; begin preparation for SJ Motion	MAR	1.5
SUBTOTAL			11.6

IX. Plaintiff's Motion for Summary Judgment

SUMMARY JUDGMENT TIMELINE

The Court, after pleadings, discovery and unsuccessful attempts at resolution, by docket entry dated 07/13/16, directed the parties to each move for Summary Judgment on or before September 13, 2016. Opposition was due on or before October 13, 2016, and reply, if necessary, on or before October 27, 2016. Both parties adhered to the Court's briefing schedule:

09/09/16 Plaintiff served Defendant with Motion for Summary Judgment;
 09/13/16 Plaintiff received Defendant's Motion for Summary Judgment;
 10/11/16 Plaintiff served Defendant with Opposition to Summary Judgment;
 10/13/16 Plaintiff received Defendant's Opposition to Summary Judgment;
 10/26/16 Plaintiff served Defendant with Reply for Summary Judgment;
 10/27/16 Plaintiff received Defendant's Reply for Summary Judgment;
 Plaintiff and Defendant exchanged Rule 56.1 Statements;
 07/12/17 Plaintiff served its Rule 56.1 Counter-Statement;
 07/14/17 Defendant served its Rule 56.1 Counter-Statement;

Both fully briefed Motions were referred to Magistrate Judge Vera M. Scanlon for Report and Recommendation

Date	Service	Attorney	Time
1. Initial draft outline			
07/13/16	After MAR appearance before MKB, prepare initial outline format for draft of Motion	RJM	1.5
2. Notice of Motion			
07/18/16	Draft Notice of Motion per Scheduling Order; recite Declarants and Memo	MAR	0.1

Date	Service	Attorney	Time
3. Rule 56.1 Statement			
07/21/16	Draft outline of key facts that are not disputed; review defendant's answer and D&I responses for admissions; detailed citations to answers to interrogatories	MAR	4.1
07/22/16	Incorporate references to PANYNJ rules at 21 NYCRR 1262.16; revision to coordinate references to MAR declaration	MAR	3.5
07/25/16	Add facts confirming release on Bond; revision to streamline references to PANYNJ rules and facts showing non-compliance	MAR	2.4
	Proofread and forward to RJM for review	MAR	1.5
4. Client Declaration			
07/22/16	Confirm w/client name of Declarant; draft outline of the facts; organize relevant exhibits (1-4)	MAR	2.6
07/25/16	Draft initial Declaration for Ramsey Simmons; revise, proofread, finalize and submit to client for review (client executed Dec on 08/25/16)	MAR	2.1
5. Declaration of MAR			
07/27/16	Draft outline to incorporate relevant Exhibits (PX1 Defendant's response to Interrogs); review Interrogs; revise proof read and finalize	MAR	3.2

Date	Service	Attorney	Time
6. Memorandum of Law			
08/02/16	Commence Research re: relevant law on all issues		
	<i>Allianz Insurance v Lerner</i> and cases within the 2 nd Circuit on the summary judgment standard; (Section 1983 elements); <i>Am. Mfr. Ins. v Sullivan</i> ; <i>Lugar v Edmondson Oil</i>	RJM	4.3
08/03/16	Shepardize <i>Lugar</i> for recent developments and analyze; revisit <i>Ford v NYC Police</i> and <i>Krimstock</i> ; <i>Mennonite Bd. of Missions v Adams</i>	RJM	4.1
a. Notice Requirements			
08/05/16 -	<i>Craig v Carson</i> on timing of notice	RJM	1.5
08/06/16	<i>Lee v Thornton</i> and shepardize for 2 nd Circuit precedent		3.0
	<i>Remm v Landrieu</i> re: cases requiring notice before fees are charged		2.0
	<i>Hann v Carson</i> on mandatory content		2.0
	Shepardize <i>Sharrock v Dell Buick</i> for New York case		3.0
	<i>Dutch Point Credit Union v Carson</i> for notice to creditor		1.8
b. Hearing			
08/08/16	<i>Stypmann v City of San Francisco</i> and <i>Tedeschi v Blackwood</i> as to standards and shepardize citing cases	RJM	5.0
08/09/16	NY V&T 1804 and substantial search for New York cases	RJM	4.0
08/10/16	<i>Harrell v City of New York</i> -major recent case on Due Process	RJM	4.0
08/11/16	<i>Fuentes v Shevin</i> on burden to initiate hearing being a governmental interest	RJM	3.0

Date	Service	Attorney	Time
08/13/16	<i>McClendon v Rosetti</i> for 2 nd Circuit Authority on burden and shepardize for recent cases;	RJM	3.5
	<i>County of Nassau v Canavan</i> for NY cases	RJM	N/C
c. Failure of Notice			
08/15/16	<i>Butler v Castro</i> regarding requirement that statements must include notice provisions	RJM	2.5
08/16/16	<i>Rackley v City of New York</i> re: hearing required for traffic detention	RJM	1.5
	Shepardize <i>Rackley and Hernandez</i> for 2 nd Circuit cases on detention	RJM	2.8
d. Remedies			
08/18/16	<i>Associates Com. v Wood</i> for holding that violation of Due Process is void	RJM	1.0
08/19/16	Shepardize for 2 nd Circuit cases	RJM	3.0
	Locate cases confirming damages on loss of vehicle value including <i>Tulin v Bostic</i>	RJM	4.0
e. Draft Preliminary Statement			
08/24/16	Outline concise one page summary; Add quote from <i>Harrell</i>	MAR	2.5
08/25/16	Extensive revision to encapsulate key facts and concise issues; proofread; correct and finalize	MAR	3.8
f. Draft Statement of Facts			
08/27/16	Incorporate Rule 56.1 disclosure in narrative form	MAR	2.0
08/29/16	Add quote for PANYNJ rules at 21 NYCRR 1262.16	MAR	3.0

Date	Service	Attorney	Time
08/30/16	Revise for clarity and re-check all cites to record	MAR	3.0
	g. Draft Legal Standard Section		
08/20/16	Outline key principles for summary judgment	RJM	1.0
	Revise; proof read; cite check	RJM	1.5
	h. Draft standard for Section 1983		
08/22/16	Cite governing rule and key holdings on 2 elements of Section 1983	RJM	1.0
	Focus point on procedural Due Process with paragraph on protected property intent and denial of possession	RJM	3.0
	Add further argument that assertion of lien is a deprivation	RJM	1.5
	i. Draft Background for Notice Requirements		
08/23/16	Timing, including vehicle cases	RJM	1.5
	Content, adding need to avoid coercion	RJM	2.5
	Mechanics, both as to owner and lienholder	RJM	2.0
	j. Draft Background for Hearing Requirements		
08/24/16	Timing	RJM	0.5
	Content, incorporate State Law reasons why hearing is vital	RJM	2.5
	Mechanics, focus as burden is on government action to set up hearing	RJM	3.0

Date	Service	Attorney	Time
k. Draft Detailed failures by PANYNJ on Notice			
08/29/16	Lack of notice in the PANYNJ procedure	RJM	1.0
	Add in facts of back-charging	RJM	0.8
	Add in facts of \$100.00 per day charges based upon faulty notice	RJM	0.8
	Cite to proverbial "Hobson's choice" from <i>Craig v Carson</i>	RJM	0.5
	Summarize failure of any reference to a hearing with case cites	RJM	1.0
l. Draft Detailed Failures by PANYNJ on Hearing			
08/31/16 - 09/02/16	Lack of hearing in Port procedures, and add cite to <i>Draper v Combs</i>	RJM	1.0
	Focus on PANYNJ admission of no hearing procedure	RJM	0.8
	Summarize the <i>per se</i> Due Process violation and add cases <i>Tedeschi</i> and <i>Krimstock</i> to support	RJM	1.0
	Contrast the Due Process that exists for parking tickets as stated in <i>Rackley</i> and in <i>Harrell</i> for traffic summons	RJM	4.0
	Summarize with 2 nd Circuit holding in <i>Hernandez v European Auto</i>	RJM	1.0
	Add footnote distinguishing PANYNJ position on innocent owner	RJM	0.8

Date	Service	Attorney	Time
m. Draft Basis to Award Summary Judgment			
09/06/16	Highlight PANYNJ position that no hearing is required	RJM	1.0
	Address and refute argument about internal memos for various protocols	RJM	3.0
	Cite to PANYNJ admission that it has no hearing procedure	RJM	1.0
n. Draft Basis for Municipal Liability			
09/07/16	Cite to <i>Monell</i> and <i>Butler</i>	RJM	1.0
	Summarize the deprivations at issue in this case	RJM	0.8
	Cite to PANYNJ rules and PANYNJ admission that deprivations were official	RJM	1.5
o. Draft Refutation of Defenses			
09/07/16	Cite cases holding that state law does not excuse Due Process violation	RJM	0.8
	Research and locate Supreme Court Authority	RJM	0.8
	Address NY Lien Law argument as being constitutionally defective	RJM	1.5
p. Draft the Remedies Sought			
09/08/16	Declaration that PANYNJ charges are void, both pre and post notice	RJM	3.0
	Add cite to <i>Associates Commercial v Wood</i>	RJM	0.5
	Actual damages are based upon vehicle depreciation with cites to record	RJM	2.5
	Nominal damages authority and attorney's fees	RJM	0.4

Date	Service	Attorney	Time
q. Draft NYS Constitutional Liability			
09/09/16	Incorporate by reference the federal position	RJM	0.8
	Add discussion of <i>Sharrock</i> and <i>Canavan</i> as NY specifics on Due Process	RJM	2.0
	Confirm NY Lien Law is not a defense	RJM	0.8
	Summarize the remedies	RJM	0.5
r. Draft Table of Contents			
09/06/16	Organize all topic sections, revise headings for brevity and proofread; verify all references and proofread	MAR	3.8
09/07/16	Review all case cites for form, accuracy page reference; verify all statute and rules cites and proof used	MAR	6.6
s. Draft Conclusion			
09/08/16	Summarize undisputed legal issue on lack of hearing; State relief sought; revision; proofread	MAR	1.3
09/09/16	MAR final review and revisions; submit to client	MAR	4.4
	Submission to PANYNJ	MAR	<u>0.1</u>
**Paralegal/Shepardize cases (See Exhibit "1")			
SUBTOTAL			162.1

X. Defendant's Cross-Motion for Summary Judgment

Date	Service	Attorney	Time
09/13/16	Received PANYNJ's Motion for Summary Judgment, w/attachments	MAR	0.1
09/16/16- 09/17/16	Initial review PANYNJ's Motion for Summary Judgment, including Declaration of James M. Begley ("JMB"), by MTF; Declaration of MTF w/Exhibits "A" through "L" (double-sided), and Memo of Law; PANYNJ Rule 56.1 Statement	MAR	10.0
09/15/16- 09/16/16	Preliminary review PANYNJ's Motion for Summary Judgment, including Declaration of James M. Begley ("JMB"), by MTF; Declaration of MTF w/Exhibits "A" through "L", (double-sided), and Memo of Law; PANYNJ Rule 56.1 Statement	RJM	4.0

A. Analysis

1. Rule 56.1 Statement

09/22/16	Draft outline of all needed facts	MAR	2.0
09/23/16	Organize to support rebuttal and reply	MAR	1.8

2. Memorandum of Law

09/20/16	Line by line notation and highlight of key points, including Exhibits "A"– "L"	RJM	3.0
09/24/16	Organize and chart categories of statements both disputed and undisputed	RJM	4.0
09/26/16	Analyze undisputed argument raised about "caretaking" function of PANYNJ including relevant parts of <i>Harrell</i> on 4 th Amendment	RJM	2.0
09/28/16	Outline specific points from <i>Harrell</i> cited by PANYNJ	RJM	1.8

Date	Service	Attorney	Time
09/29/18	Review PANYNJ rules for any reference to Lien Law 184 as implied by PANYNJ	RJM	2.0
10/01/16	Analyze argument about qualified immunity	RJM	2.0
	Outline key cites by PANYNJ to its rules on authority to charge fees	RJM	1.0
	Analyze argument about <u>Monell</u> and PANYNJ's admission that it followed a customary practice	RJM	1.5
	Outline objection to replevin claim	RJM	<u>1.0</u>
		SUBTOTAL	36.2

**Paralegal/Shepardize cases (See Exhibit "1")

XI. Plaintiff's Opposition To Defendant's Motion For Summary Judgment

Date	Service	Attorney	Time
A. Research Points of Law for Opposition			
09/21/16	<i>Connecticut v Doe</i> on assertion of a lien is deprivation	RJM	0.8
	Shepardize for recent authority including <i>British Intern v Seguris</i>	RJM	2.0
09/23/16	Comprehensive review of all jurisdictions requiring a hearing within a reasonable period of time	RJM	2.5
09/24/16	Shepardize all cases for recent case law and chart by circuit and district	RJM	4.0
	Research the "caretaking" doctrine relied upon by the Port in its motion	RJM	3.0
09/26/16	<i>Hines v City of Albany</i> re: seizures for evidence	RJM	0.8
09/27/16	Research "qualified" immunity defense raised by Port and locate 2 nd Circuit case rule in <i>Askins v Doe</i>	RJM	3.0
B. Draft Memorandum of Law			
09/24/16	Outline preliminary statement with key Points; add quote from PANYNJ that distills its position; summarize essential point is right to be heard; add cites to governing points of law which refute the PANYNJ; add counter-statement of facts	MAR	5.1

Date	Service	Attorney	Time
10/03/16	Draft key points that overwhelming authority throughout country requires a hearing; revise list of cases by jurisdiction to add most recent	RJM	4.5
10/04/16	Draft rebuttal to argument that internal memos are sufficient; cite to key language in <i>Gates</i> Draft reply to “caretaking”; add footnote to clarify that 4 th Amendment is not material to this case; cites to <i>Ford Motor</i> , <i>Krimstock</i> and <i>Harrell</i> ;	RJM	6.2
10/05/16	Draft refutation of PANYNJ claim that Due Process only applies to forfeiture cases	MAR	2.5
	Draft opposition to state law and qualified immunity points	MAR	2.0
	Draft conclusion and finalize for brevity	MAR	0.8
10/06/16	Draft table of contents, verify accuracy and finalize; draft Table of Authorities reviewing for accuracy, form and proofread	MAR	3.0
C. Memorandum of Law (Final Preparation)			
10/05/16	Line by line notation and highlight of key points that require reply; organize and prioritize issues that require reply; analyze argument that NY Lien Law is determinative	RJM	4.0
10/06/16	Outline the position made regarding <i>Ford Motor</i> and <i>Alexandre v Cortes</i> ; review cite to NY Uncon. Law 6831(8) and relevant interpretations; review and analyze cases cited by PANYNJ for right to seize under airport rules	RJM	7.0

Date	Service	Attorney	Time
10/07/16	Analyze qualified immunity argument for any new arguments; analyze argument that PANYNJ Rules allow release by payment and right to seek refund; final draft document for transmittal to MAR	RJM	4.3
10/08/16	Review, summarize point about "caretaking", Cross Check Cites with PANYNJ's Rule 56.1 Statement, and final read through for submission to PANYNJ	MAR	2.6
10/11/16	Submit to MTF opposition to PANYNJ's Motion for Summary Judgment; copy to client and RJM	MAR	0.2
			—
		SUBTOTAL	58.3

**Paralegal/Shepardize cases (See Exhibit "1")

XII. Plaintiff's Reply Memorandum Of Law**(In Support of Summary Judgment and further Opposition to Defendant's Summary Judgment)**

Date	Service	Attorney	Time
A. Research Main Points			
10/13/16	<i>Addante v Village</i> that state law yields to constitutional law	RJM	1.5
	<i>Fuentes v Shevin</i> burden of compliance with Due Process and updates	RJM	1.0
B. Draft Reply Memorandum			
10/14/16	Draft preliminary statement to lay out pure issues of law for decision	MAR	1.0
10/19/16	Summarize the Due Process violation; draft rebuttal to attempt to distinguish <i>Ford Motor</i> ; draft summary of law that informal procedures are inadequate	RJM	2.6
10/20/16	Draft reply to state law predominance Argument; draft summary of rule that the burden of compliance is on PANYNJ; draft immateriality of immunity doctrine	RJM	3.3
10/22/16	Review and notate all arguments under Federal cases	RJM	2.0
	Research and analyze new cases cited under NY law and revisit <i>American Honda</i> for applicability	RJM	2.0
10/24/16	Preparation of final draft, including Preliminary Statement and conclusion confirming that summary judgment is appropriate	MAR	2.3

Date	Service	Attorney	Time
10/27/16	Submit to MTF reply Memorandum in Support of Summary Judgment; copy to client and RJM	MAR	0.2
		SUBTOTAL	<u>15.9</u>

**Paralegal/Shepardize cases (See Exhibit "1")

XIII. Review Defendant's Reply Memorandum Of Law

Date	Service	Attorney	Time
10/27/16	Received PANYNJ's Reply Memorandum in Opposition; transmittal to RJM and client	MAR	0.2
	Read and digest Memo for subsequent and contemplated Oral Argument	MAR	1.0
10/27/16	Read and review PANYNJ's Memo; notate all arguments under Federal cases; discuss with MAR re: Argument	RJM	1.5
10/28/16	Research and analyze new cases cited under NY law and revisit <i>American Honda</i> for applicability	RJM	1.5
	Prepare outline/summary for Oral Argument	RJM	1.0
		SUBTOTAL	<u>5.2</u>

**Paralegal/Shepardize cases (See Exhibit "1")

XIV. Rule 56.1 Counter-statements

A. PLAINTIFF'S RULE 56.1 COUNTER-STATEMENT

Previously the litigants submitted their Motions for Summary Judgment together with Rule 56.1 Statements pursuant to the Court's briefing schedule. Subsequently, and in connection with those submissions, the Court, on or about 07/05/17, directed that the parties file Counter-statements to the previously filed statements (ECF #21 & 25) on or before 07/12/17.

Date	Service	Attorney	Time
07/06/17	Review PANYNJ prior submissions, line by line, and review all connected documents	RJM	3.0
07/07/17	Draft line by line reprise totaling 39 statements	RJM	3.0
07/10/17	Revise, confirm accuracy and finalize; transmit to MAR for review and filing	RJM	1.5
07/12/17	File Rule 56.1 Counter-statement	MAR	0.1
B. PANYNJ'S RULE 56.1 COUNTER-STATEMENT			
07/14/17	Track and verify each PANYNJ statement	RJM	1.5
	Outline summary of statements	RJM	0.8
07/14/17	Motions <i>sub judice</i> :	MAR	N/C
09/25/17 -	Preparation for Oral Argument, if required	MAR	6.0
09/27/17	Assembly all Motion documents (Mot. & X-Mot.); case prep (facts); case prep (citations)		—
SUBTOTAL			15.9

**XV. Analyze Report and Recommendation by Magistrate Judge
Vera M. Scanlon Dated 2/15/18**

Date	Service	Attorney	Time
02/15/18	Review Docket Sheet entry noting Report and Recommendations (31 pgs.)	MAR	0.1
02/16/18	Initial review of R&R recommending S.J. for Plaintiff and denying Defendant's Cross-Motion	MAR	2.0
	Independent Review of 31 page decision granting S.J. and noting key items for further proceedings; advise client	RJM	2.8
02/16/18	Review correspondence from Defendant's counsel requesting extension to file objections	MAR	0.1
	Note Docket entry requesting extension; Docket entry granting extension	MAR	0.1
02/17/18	In depth analysis of R&R in anticipation of Motions for compensatory damages and attorneys' fees	MAR	6.0
02/19/18	Report to client re: successful Report and Recommendation w/copy of R&R	RJM	0.3
02/22/18	Conference w/client re: methods of fulfilling Court requirements re: Bond release, calculation of compensatory damages, payment of tow charges, Motions for compensatory damages and legal fees	RJM	1.3
SUBTOTAL			12.7

XVI. Analyze Order By Judge Margo K. Brodie Dated 3/21/18

Date	Service	Attorney	Time
03/21/18	Review Docket Sheet entry and Order adopting Report and Recommendation issued by Magistrate Judge Scanlon	MAR	0.1
	Analyze Order adopting Report and Recommendations (5 pgs.) granting S.J. for Plaintiff and permitting applications for compensatory damages and attorneys' fees	MAR	1.4
	Independent Review of 5 page Order decision granting S.J., compensatory damages and attorneys' fees to be determined by Motion Practice; advise client of Order of Adoption w/copy	RJM	0.8
			—
		SUBTOTAL	2.3

**XVII. Negotiations Re: Global Resolution of Compensatory Damages/
Attorneys Fees**

Date	Service	Attorney	Time
02/22/18	Letter to KDD re: resolution of issues created by R&R dated 02/15/18	MAR	2.5
03/22/18	Conference call with client and Co-Counsel to discuss impact of the Order adopting the Report and Recommendation; Strategy Planning session resulting in suggestion to resolve compensatory damages and attorneys' fees by negotiation & submission of analysis of expectation	MAR/RJM	0.5
03/26/18	Negotiations and resolution of Release of Bond and towing fees	MAR	1.0
04/02/18	Resolution of issues, including W-9, General Release and check; unsuccessful resolution of attorneys' fees with counsel for Defendant; submission of anticipated fees; consultation w/RJM	MAR	0.6
05/15/18	Secure from client W-9 and General Release	RJM	0.2
05/15/18	Transmittal to KDD	MAR	<u>0.1</u>
SUBTOTAL			4.9

XVIII. Plaintiff's Attorneys' Fee Application

Date	Service	Attorney	Time
04/04/18 - 04/05/18	PANYNJ requests informal settlement proposal re: attorneys' fees; draft lengthy letter w/guestimate of time and charges for submission 4/6/18	MAR	7.0
04/06/18	Email letter to KDD	MAR	0.1
04/21/18	Initial consolidation of contemporaneous time records in anticipation of fee app w/DG	MAR	6.0
05/07/18	Initial draft of MAR Declaration	MAR	3.5
05/10/18	Initial draft of Notice of Motion	MAR	1.0
05/11/18	Consolidation of contemporaneous time records for preparation of attorneys' fees application	RJM	5.0
05/11/18 - 05/12/18	After unsuccessful attempts at negotiated resolution (04/06/18), Re-draft Declaration in Support	MAR	12.5
05/15/18	Consolidation of contemporaneous time records all in preparation of attorneys' fees application; outline for draft of Memorandum of Law	MAR	6.0
05/15/18	Initial Draft Declaration in Support of Attorneys' fees application	RJM	3.5
05/16/18 - 05/17/18	Research fee app cases in EDNY; Initial Draft Memorandum of Law in Support of application for attorneys' Fees	RJM	8.5
05/18/18	Edit drafts of Memorandum of Law; Edit Declaration In Support; refer to MAR for review	RJM	3.2

Date	Service	Attorney	Time
05/18/18	Read through and edit RJM Declaration; re-draft Notice of Motion, Declarations, Exhibits, Memorandum	MAR	7.0
05/19/18 - 05/20/18	Final read through of Notice of Motion, Declarations, Memorandum of Law all in support of application for attorneys' fees; Edits and re-draft of time records	MAR	13.5
05/21/18	Final edits of all documents; draft cover letters for transmittal; final audit of time records.	MAR	20.0
05/22/18	Assemble all documents for transmittal w/assistance of DG; prepare sets for transmittal to RJM, client, KDD	MAR	11.5
			—
		SUBTOTAL	108.3

XIX. Correspondence/Telephonic Communication**A. Correspondence/Email**

2015			
Date	Service	Attorney	Time
09/24/15	Email to RJM re: Rules 7.1	MAR	0.1
10/09/15	Letter to United Lawyers re: Filing	MAR	0.2
10/13/15	Email Report from United Lawyers	MAR	0.1
10/14/15	Letter to Process Server w/docs	MAR	0.2
10/28/15	Email from RJM re: DA Release	MAR	0.1
11/06/15	Letter from MTF re: Settlement	MAR	0.1
11/20/15	Letter to MTF re: Settlement and Bond w/Stipulation	MAR	0.4
11/30/15	Email from MTF re: Towing Fees	MAR	0.1
12/07/15	Email to MTF re: Towing Fees	MAR	0.1
12/11/15	Email to MTF re: Client Reaction to Settlement	MAR	0.2
12/11/15	Email to MTF re: Stip for Bond	MAR	0.1

A. Telephonic Communication (Received by Counsel for Plaintiff)

2015							
Date	Service	Attorney	Time	Date	Service	Attorney	Time
09/16/15	Telephone conference w/RJM	MAR	0.1	10/27/15	Telephone conference w/MTF	MAR	0.1
09/17/15	Telephone conference w/RJM	MAR	0.1	10/30/15	Telephone conference w/MTF	MAR	0.1
09/21/15	Telephone conference w/RJM	MAR	0.1	11/06/15	Telephone conference w/MTF	MAR	0.1
09/24/15	Telephone conference w/RJM	MAR	0.1	11/10/15	Telephone conference w/RJM	MAR	0.1
09/28/15	Telephone conference w/RJM	MAR	0.1	11/13/15	Telephone conference w/Julia	MAR	0.1
09/29/15	Telephone conference w/RJM	MAR	0.1		Curci/Liz Mullancy	MAR	0.1
10/05/15	Telephone conference w/RJM	MAR	0.1	11/16/15	Telephone conference w/RJM	MAR	0.1
10/09/15	Telephone conference w/RJM	MAR	0.1	11/20/15	Telephone conference w/RJM	MAR	0.1
10/13/15	Telephone conference w/RJM	MAR	0.1	11/23/15	Telephone conference w/MTF	MAR	0.1
10/14/15	Telephone conference w/RJM	MAR	0.1	12/03/15	Telephone conference w/MTF	MAR	0.1
10/16/15	Telephone conference w/RJM	MAR	0.1	12/07/15	Telephone conference w/RJM	MAR	0.1
10/19/15	Telephone conference w/RJM	MAR	0.1	12/08/15	Telephone conference w/RJM	MAR	0.1
10/21/15	Telephone conference w/RJM	MAR (2x)	0.2	12/11/15	Telephone conference w/RJM	MAR	0.1
10/23/15	Telephone conference w/Julia	MAR	0.1	12/16/15	Telephone conference w/RJM	MAR	0.1
	PA Law Dept. wants 30 days	MAR	0.1	12/29/15	Telephone conference w/RJM	MAR	0.1
10/25/15	Telephone conference w/RJM	MAR	0.1	12/30/15	Telephone conference w/RJM	MAR	0.1
10/26/15	Telephone conference w/RJM	MAR	0.1	12/31/15	Telephone conference w/RJM	MAR	0.1

SUBTOTAL: 5.2

A. Correspondence/Email

2016			
Date	Service	Attorney	Time
01/20/16	Email to MTF re: Scheduling Order	MAR	0.1
02/11/16	Letter to MTF re: Compliance w/ Scheduling Order	MAR	0.2
03/25/16	Letter to MTF re: Discovery	MAR	0.2
05/12/16	Email to RJM	MAR	0.1
05/13/16	Letter from MTF re: Settlement	MAR	0.5
05/23/16	Letter to MTF re: Response to Settlement	MAR	0.6
05/25/16	Letter to Court re: Attempts at Settle- ment and Due Process	MAR	0.5
06/15/16	Email to Case Manager re: Conference	MAR	0.1
	Email to Case Manager re: 7/13/16	MAR	0.1
	Email from Case Manager re: 7/13/16	MAR	0.1
07/18/16	Email to MTF re: Mediation	MAR	0.1
08/02/16	Email to Joshua Edwards, Stenographer	MAR	0.1

A. Telephonic Communication (Received by Counsel for Plaintiff) (con'td)

2016							
Date	Service	Attorney	Time	Date	Service	Attorney	Time
01/07/16	Telephone conference w/RJM	MAR	0.1	08/09/16	Telephone conference w/RJM	MAR	0.1
01/08/16	Telephone conference w/RJM	MAR	0.1	08/11/16	Telephone conference w/RJM	MAR	0.1
01/14/16	Telephone conference w/RJM	MAR	0.1	08/12/16	Telephone conference w/RJM	MAR	0.1
01/19/16	Telephone conference w/RJM	MAR	0.1	08/17/16	Telephone conference w/RJM	MAR	0.1
01/26/16	Telephone conference w/RJM	MAR	0.1	08/24/16	Telephone conference w/RJM	MAR	0.1
01/27/16	Telephone conference w/RJM	MAR	0.1	08/31/16	Telephone conference w/RJM	MAR	0.1
01/29/16	Telephone conference w/RJM	MAR	0.1	09/02/16	Telephone conference w/RJM	MAR	0.1
02/02/16	Telephone conference w/RJM	MAR	0.1	09/07/16	Telephone conference w/RJM	MAR	0.1
02/24/16	Telephone conference w/RJM	MAR	0.1	09/21/16	Telephone conference w/RJM	MAR	0.1
02/29/16	Telephone conference w/RJM	MAR	0.1	09/22/16	Telephone conference w/MTF	MAR	0.1
03/11/16	Telephone conference w/RJM	MAR	0.1	09/27/16	Telephone conference w/MTF	MAR	0.1
03/14/16	Telephone conference w/RJM	MAR	0.1	09/29/16	Telephone conference w/RJM	MAR	0.1
03/16/16	Telephone conference w/RJM	MAR	0.2	09/30/16	Telephone conference w/RJM	MAR	0.1
03/22/16	Telephone conference w/RJM	MAR	0.1	10/03/16	Telephone conference w/RJM	MAR	0.1
03/24/16	Telephone conference w/RJM	MAR	0.1	10/06/16	Telephone conference w/RJM	MAR	0.1
03/25/16	Telephone conference w/MTF	MAR	0.1	10/11/16	Telephone conference w/RJM	MAR	0.1
03/29/16	Telephone conference w/MTF	MAR	0.1	10/14/16	Telephone conference w/RJM	MAR	0.1
	Telephone conference w/RJM	MAR	0.1	10/17/16	Telephone conference w/RJM	MAR	0.1
04/01/16	Telephone conference w/RJM	MAR	0.1	10/21/16	Telephone conference w/RJM (2x)	MAR	0.1
04/07/16	Telephone conference w/RJM	MAR	0.1	10/24/16	Telephone conference w/RJM	MAR	0.1
04/08/16	Telephone conference w/RJM	MAR	0.1	10/26/16	Telephone conference w/RJM	MAR	0.1
04/11/16	Telephone conference w/RJM	MAR	0.1	10/28/16	Telephone conference w/RJM	MAR	0.1
04/18/16	Telephone conference w/RJM	MAR	0.1	11/02/16	Telephone conference w/RJM	MAR	0.1
04/20/16	Telephone conference w/RJM (2x)	MAR	0.2	11/03/16	Telephone conference w/RJM	MAR	0.1
05/04/16	Telephone conference w/RJM	MAR	0.1	11/16/16	Telephone conference w/RJM	MAR	0.1

05/10/16	Telephone conference w/MTF	MAR	0.1	11/22/16	Telephone conference w/RJM	MAR	0.1
	Telephone conference w/RJM	MAR	0.1	12/07/16	Telephone conference w/RJM	MAR	0.1
05/16/16	Telephone conference w/RJM	MAR	0.1	12/08/16	Telephone conference w/RJM	MAR	0.1
05/17/16	Telephone conference w/RJM	MAR	0.1	12/13/16	Telephone conference w/RJM	MAR	0.1
05/19/16	Telephone conference w/RJM	MAR	0.1	12/28/16	Telephone conference w/RJM	MAR	0.1
05/24/16	Telephone conference w/MTF (2x)	MAR	0.2				
06/15/16	Telephone conference w/RJM	MAR	0.1				
06/24/16	Telephone conference w/RJM	MAR	0.1				
07/14/16	Telephone conference w/RJM	MAR	0.1				
07/20/16	Telephone conference w/RJM	MAR	0.1				
08/08/16	Telephone conference w/RJM	MAR	0.1				

SUBTOTAL: 9.7

2017

Date	Service	Attorney	Time
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Subsequent to the submission of Plaintiff's Motion for Summary Judgment, Defendant's Cross-Motion for Summary Judgement, and the referral by the Court of both Motions to the Magistrate Judge, there was no activity during the period July 14, 2017 and February 15, 2018, when the Court issued its Report and Recommendation.

A. Correspondence/Email

2018 Date	Service	Attorney	Time
02/19/18	Email from RJM re: Report to Client	MAR	0.2
02/22/18	Letter to KDD re: R&R and possible Resolution of issues raised	MAR	** accounted for in negotiations
03/21/18	Email to KDD re: R&R	MAR	0.2
	Email to RJM re: R&R	MAR	0.1
03/26/18	Email to RJM re: Settling certain issues in R&R	MAR	** accounted for in negotiations
04/06/18	Letter to KDD re: Settlement of Compensatory damages and attorneys' Fees	MAR	** accounted for in fee app
04/19/18	Email to RJM re: Client check and Declaration re: lost revenue	MAR	0.2
04/20/18	Letter to KDD w/Settlement check and Client Declaration and Settlement re: Open issues from R&R	MAR	0.5
	Email from KDD	MAR	0.1
04/25/18	Email from KDD re: Joint request for Enlargement of time	MAR	0.2
04/26/18	Email to KDD w/MAR redraft of letter for enlargement	MAR	0.2
04/30/18	Email from KDD w/final edits	MAR	0.2
	Letter to Court w/joint signatures	MAR	0.1
05/01/18	Email from KDD re: Compensatory Damages	MAR	0.1
	Email to KDD re: Resolution of Compensatory Damages	MAR	0.1
05/04/18	Letter to KDD re: Compensatory Damages	MAR	0.1
	Letter to KDD re: attorneys' fees	MAR	0.1
	Email from RJM re: Compensatory Damages	MAR	0.1
05/11/18	Letter from KDD re: Settlement of Compensatory Damages w/Release	MAR	0.1
	Email to KDD re: Thanks for Resolution	MAR	0.1
05/15/18	Letter to KDD w/Settlement docs re: Compensatory Damages	MAR	0.1
05/21/18	Email to KDD re: Filing	MAR	0.1

A. Telephonic Communication (Received by Counsel for Plaintiff)

2018

Date	Service	Attorney	Time	Date	Service	Attorney	Time
01/04/18	Telephone conference w/RJM	MAR	0.1	03/30/18	Telephone conference w/RJM	MAR	0.1
01/12/18	Telephone conference w/RJM	MAR	0.1	04/02/18	Telephone conference w/RJM	MAR	0.1
01/15/18	Telephone conference w/RJM	MAR	0.1	04/03/18	Telephone conference w/RJM	MAR	0.1
01/16/18	Telephone conference w/RJM	MAR	0.1	04/04/18	Telephone conference w/RJM	MAR	0.1
01/19/18	Telephone conference w/RJM	MAR	0.1	04/05/18	Telephone conference w/RJM	MAR	0.1
01/23/18	Telephone conference w/RJM	MAR	0.1	04/06/18	Telephone conference w/RJM	MAR	0.1
	Telephone conference w/RJM	MAR	0.1	04/10/18	Telephone conference w/RJM	MAR	0.1
01/26/18	Telephone conference w/RJM	MAR	0.1	04/11/18	Telephone conference w/RJM	MAR	0.1
02/07/18	Telephone conference w/RJM	MAR	0.1	04/13/18	Telephone conference w/RJM	MAR	0.1
02/12/18	Telephone conference w/RJM	MAR	0.1	04/18/18	Telephone conference w/RJM	MAR	0.1
02/16/18	Telephone conference w/RJM	MAR	0.1	04/23/18	Telephone conference w/KDD	MAR	0.1
	Telephone conference w/KDD -Requested time	MAR	0.1	04/26/18	Telephone conference w/RJM	MAR	0.1
	Telephone conference w/RJM	MAR	0.1	04/27/18	Telephone conference w/RJM	MAR	0.1
02/19/18	Telephone conference w/RJM	MAR	0.1	04/30/18	Telephone conference w/RJM	MAR	0.1
02/20/18	Telephone conference w/RJM	MAR	0.1	05/04/18	Telephone conference w/RJM	MAR	0.1
02/28/18	Telephone conference w/RJM	MAR	0.1		Telephone conference w/KDD - no to atty fees; \$7922.18 for compensatory	MAR	0.1
03/05/18	Telephone conference w/RJM	MAR	0.1	05/08/18	Telephone conference w/RJM (2x)	MAR	0.2
03/08/18	Telephone conference w/RJM	MAR	0.1	05/11/18	Telephone conference w/KDD	MAR	0.1
03/09/18	Telephone conference w/RJM	MAR	0.1		Telephone conference w/RJM (3x)	MAR	0.3
03/13/18	Telephone conference w/RJM	MAR	0.1	05/16/18	Telephone conference w/RJM (2x)	MAR	0.2
	Telephone conference w/KDD	MAR	0.1	05/17/18	Telephone conference w/RJM (2x)	MAR	0.2
03/26/18	Telephone conference w/KDD	MAR	0.1	05/18/18	Telephone conference w/RJM (2x)	MAR	0.2
	Wants \$79 net ck & release of	MAR	0.1	05/21/18	Telephone conference w/RJM (2x)	MAR	0.2
	Bond by 4/6/18				Telephone conference w/KDD	MAR	0.1

SUBTOTAL: 8.3**TOTAL FOR CORRESPONDENCE/TELEPHONE: 23.20**

XX. Paralegal Assistance

Date	Service	Paralegal/ Clerical	Time
07/15/15 – 05/21/18	a) Securing cases for review; shepardizing cases for Pleadings, Discovery and Motion Practice; organizing and E-filing Court Submissions; correspondence preparation and general file maintenance, including organizing submissions for fee application (Table of Cases annexed as Exhibit “2”) b) The time allocated to paralegals is incorporated, but not separately noted in the categories listed above. Paraprofessional time was incurred over the life of the litigation.	HZ/DG	49.0
SUBTOTAL			49.0

XXI. Travel Time

Date	Service	Attorney	Time
07/13/16	Travel from Manhattan to Eastern District; travel from Eastern District to Manhattan (both by MTA) for conference with District Judge Margo K. Brodie	MAR	1.0 @ ½ hourly billing
SUBTOTAL			2.0

CATEGORIES OF TIME RECORDS

I.	Initial Client Contact Pre-Institution of Suit	6.5
II.	Client Strategy, Case Analysis, Legal Development	32.7
III.	Pleadings, Rule 7.1 Disclosure Statement and Service of Process	57.9
IV.	Rule 64 Motion: Obtain Release of Vehicle by Bond	26.4
V.	Review Defendant's Answer/Marked Pleadings	7.2
VI.	Conferences with Magistrate Judge Vera M. Scanlon (1/29/16; 3/29/16)	14.5
VII.	Preparation of Plaintiff's Discovery Devices	67.3
VIII.	Conference with Judge Margo K. Brodie (7/13/16)	11.6
IX.	Plaintiff's Motion for Summary Judgment	162.1
X.	Defendant's Cross-Motion for Summary Judgment	36.2
XI.	Plaintiff's Opposition to Defendant's Motion for Summary Judgment	58.3
XII.	Plaintiff's Reply Memorandum of Law	15.9
XIII.	Review Defendant's Reply Memorandum of Law	5.2
XIV.	Rule 56.1 Counter-statements	15.9
XV.	Analyze Report and Recommendations by Magistrate Judge Vera M. Scanlon dated 2/15/18	12.7
XVI.	Analyze Order by Judge Margo K. Brodie dated 3/21/18	2.3
XVII.	Negotiations Re: Global Resolution of Compensatory Damages/Attorneys' Fees	4.9
XVIII.	Plaintiff's Attorneys' Fee Application	108.3
XIX.	Correspondence/Telephonic Communication	23.2
XX.	Paralegal Assistance	49.0
XXI.	Travel time	<u>2.0</u>
	TOTAL ATTORNEYS' TIME: 671.1	
	TOTAL PARALEGAL TIME: 49.0	
	TOTAL TRAVEL TIME: 2.0	

RECAPITULATION

I.	Legal Services.....	671.1.@ \$600/hr.....	\$402,660.00
II.	Paraprofessional.....	49 hrs.@ \$100/hr.....	\$ 4,900.00
III.	Out-of-pocket expenses.....		\$ 548.68
IV.	Travel Time (2 hrs @ \$300.00).....		\$ 600.00
V.	a) Efforts in reviewing opposition to fee app; Preparation of Reply to Opp re: fee app;.....		TBD
	b) Efforts to Re-write PANYNJ's Rules & Regulations (as per Order 3/21/18).....		TBD
Grand Total (absent item V above).....			<u>\$408,708.68</u>